1: Orans E-5 (1957-1958) 1965
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622 the approval of the villagers with whom he is associated; he
628 presides generally at disputes which cannot be settled within
692 a particular village, at inter-village disputes or at discussions of custom which are of concern to the entire set of villages under his jurisdiction; like the headman of a village, he is at most *primus inter pares*. Publicly he is little more than the voice of consensus, though privately his influence is that of an especially respected and powerful person.

69 The "justice" of the Santal, i.e., their institutionalized prac-
[577] tices as distinct from the desires of injured parties, places a strong premium on rendering decisions which will restore severed relationships and permit life to return to what it was
• [681] before the dispute. The fee to the "court" is often as substantial as a judgment and must be paid by both parties. There is almost always encouragement to settle "out of court" by friends and officials. Fees paid to the "court" are generally spent to buy rice beer and viands so that after the bitterness of the contest both court and contestants join together in "pleasure," and all
[192] is as it was. These gatherings to settle disputes within the village are usually called "discussions" (*galmarao*); multi-village gatherings are known as *dorbar* (Hindi, *dorbar* = court).

584 Besides the judicial tie, each village is bound to a number of
621 others by marriage. Marriage procedures will be discussed at length but it is appropriate here to note that marriage is arranged with the aid of villagers and village officials as well as those associated by kinship and is of great interest and concern to the whole village. The ceremonies of marriage dramatize this concern, reflecting village solidarity in gaining and accepting a daughter or sorrowfully giving one up, as the case may be.

63 Beyond the multi-village judicial organization there are no
184 formally organized territorial units: however, regional cultural

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The organization which binds groups of villages together is loose by comparison with the village system. The Santals distinguish between the various sections of the country in which their villages are situated, calling them *parganas*. Each *pargana* has a distinctive name, which may be either the name of a village situated within its borders or a general name. Over each of the *parganas* a *parganath* is supposed to have jurisdiction. McAlpin's report, the result of an inquiry instituted by the Bengal Government which led to the Tenancy Amendment Act of 1918, in addition to its main purpose of suggesting measures for the protection of Santal lands, dealt also with the condition of the Santal village system. McAlpin reported that the *pargana* system was far gone in decay, and it is not possible to question his conclusion. Binu Hāsdāk' of Tantidanga, late *parganath* of the Sarenga area, was typical of his class. His mind was well stored with the customary law of the tribe, and from time to time he was called in by nearby villages to help more particularly with disputes arising out of marriage tangles. He was personally popular and had some prestige as the possessor of valuable remedies against sickness, but on his own confession his authority was of a very limited kind. "What can I do", he once said, "unless the people of the village are agreed?" There is the crux of the situation; in the village, public opinion is a wellnigh irresistible force. Binu used, nevertheless, to go happily about his errands, for among other advantages which accrued he received a fee amounting to one rupee four annas when a guilty party was fined.

Kinship ties share with the well-knit village system the governance of the Santal's daily life, regulating his relationships with his fellows. The tribe is divided into clans, and each clan is again divided into sub-clans. The clan descends through the father, and when girls marry they are taken into the clans of their husbands. The clans have a totemistic basis and they are exogamous. Land is conceived of as belonging to the clan. Although individual and family ownership is now the rule, Santals will not countenance the transfer of land from one clan to another. The one exception for which allowance is made has been forced on them by economic necessity; it occurs in the case of a man without sons who brings his daughter's husband into his own house to carry on the cultivation, the son-in-law thereby acquiring rights in the property for descendants. The rights conferred by Hindu personal law on daughters in the property of their fathers or on wives in the property of their

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over a wide field, involving inheritance, marriages and instances of indiscipline. Members are allowed to appeal against decisions made in village councils. Punishments inflicted range from outcasting to fines, and crude punishments are sometimes exacted on the spot, as in a case of a youth who had transgressed the rules of behaviour towards a woman relative with whom he was not in a joking relationship. He was compelled to drag his nose along a line of urine provided by the village headman whose authority had been flouted. The hearing of cases continues till the small hours of the morning and the discussions appear interminable, with accusation and counter-accusation, the calling of witnesses and references to tribal law and custom. It is, however, one of the great educating and cementing institutions in the life of the tribe. It is known to them by the name of "high court", a name that has been naturalized in most Indian languages. It is also called the *sendra dupup'*, the hunt sitting, and the *lo bir dupup'*, the burnt forest sitting, the latter name being due to the fact that the hunt takes place when the undergrowth in the forest has been burnt to help the fertilizing of the soil.

Meanwhile, when the evening meal is over the young men gather in another part of the clearing and spend the night in revelry. There is much strong liquor in evidence. In some cases the place of meeting has become the site of a government liquor shop. The dances, of a class known as *doiger*, are men's dances, and the songs, known as *bir*, or forest songs, are men's songs. They are frankly coarse and deal largely with the physical aspects of love, courtship and lust. Many of the songs that are sung on this night are never sung by the Santals in any mixed company, or, indeed, at any other time, a fact that indicates among them a standard of delicacy in sexual behaviour which certain modern schools of thought appear at times to deny to primitive people.

Towards morning some of the folk, young and old, rest for an hour or two of much-needed sleep, but when the sun has risen they take some breakfast and begin to disperse. They make their way to their own villages, hunting as they go; but on this second day the proceedings are apt to be unexciting, for they do not find much to kill. By late afternoon the men are home again with their spoils, and when these have been divided they work off their fatigue in sleep.

The supposed monotony of the struggle for a livelihood is broken by so many devices of nature and of man that it is